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AUTHOR	Andrews, Hunter
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ABSTRACT

Perspectives on the legislative process in Virginia and the relationship between the higher education community and the legislature are presented by a state senator. Virginia's legislature operates on a 60-day calendar basis, has an executive budget, and the governor has item veto power. The budget process requires that constituencies needing appropriations provide their requests well in advance, perhaps six or seven months before the legislative session. It is suggested that in spite of declining enrollments in other parts of the country, the South is experiencing an increase in higher education enrollments, and the state-supported institutions cannot take all of the applicants. Virginian politics has followed the belief that educational officials should be nonpartisan, and Virginia and Massachusetts have the largest number of citizens on policy boards in universities. The large number of citizens on public college and university boards is a reason that a strong centralized governing body would be impossible. It is proposed that diversity within the types of colleges and universities is preferable to the creation of one big state university. The importance of educational officials being informed about bills that affect higher education and being available to provide information during the legislative session is emphasized. It is also important to know the individual legislative committee members and their views. It is suggested that legislators who are on the education committee should also be on a committee concerned with funding or finance so that they can carry out their educational plans. (SW)

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PROBLEMS AND ISSUES RELATED TO LEGISLATIVE PROCESS:
THE STATE DIMENSION

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SENATOR HUNTER ANDREWS

State Senate of Virginia

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1860 Lincoln Street, Suite 300
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PROBLEMS AND ISSUES RELATED TO LEGISLATIVE PROCESS: THE STATE DIMENSION

Bill, ladies and gentlemen, I am delighted to be here, but since it's election year in Virginia, Bill, I don't feel it's very nice to say Jeanette and I are not politicians. We're Democrats, but I trust you will be tolerant of us in the legislative process, for politicians necessarily interact in partisan ways when it comes to various issues.

I would like to discuss with you some techniques that may help you in your approach to getting us to do what you think we should do which you may sometimes feel we're not smart enough to do. Obviously, we have considerable diversity among our states in the educational processes at all levels; similarly, in the legislative processes at all levels, we have such diversity. We have never been able to convince "Big Daddy" in Washington that this is true, but I think we must try. When we relate to the federal government from the state viewpoint on the premise that "Big Daddy" presumes he alone knows best what should be done to us (and, from his viewpoint, for us), it appears that all wisdom is centered in Washington. It seems that those of us in the provinces must cohabitate with the peasants and do what he, "Big Daddy," thinks is right. This is a problem facing us in the states and I don't care how big the state is or how small the state is, we must recognize "Big Daddy" and try to educate him. That's the most important thing you and I can do . . . educate "Big Daddy!"

But we're not here to talk about "Big Daddy" because he alone knows best and he has a ten-day vacation. He gets more vacations than the school children. Because the states are so diverse and because the systems are so different, I shall try to address myself to what I hope are fundamentals regardless of the size of state. I represent a relatively small state with a short legislative session operating on the calendar day principle Constitutionally, not the legislative day principle. You can debate this item from this viewpoint, and I submit you would welcome the calendar day system because we go to the capitol and get out as soon as possible; whereas, in many states, they stay on and on and on. We submit the calendar principle allowed us to get just as much accomplished in sixty days as some of the great states do in nine months.

In the state legislative process, staffing of legislative committees varies from high sophistication in California to practically none in Virginia. We were in California looking into the problem of what kind of staffing we should have and were advised by the California assemblymen and senators to be careful not to staff too much; often staff will run the system. Of course, when there is no staffing at all, you may not be able to do much unless you have such support. We are ideal for you state officials because we sit there with no people on our side. It makes a very interesting game.

So, how do you get through, whether you have staffing or not, to a legislator? Of course, I'm a great believer in the principle that you should get to the member before he goes to the capitol. Now, you don't necessarily have to wine and dine him and provide him with ladies of the night, but everybody ought to be educated on what the problem is before the session. You get enough at the session. If you have a money problem and you are in a state that has an executive budget (I presume that most states do), this is the time of the year to start thinking about the money that you're going to get next January. Don't wait until January. The budgetary systems in most of the states are gearing up now and the budget will be locked in generally by December. If you are in a state having a governor of one party and a legislature of another party, such as my state, and it's an executive budget and the governor has the item veto power, you should be aware of the consequences. It doesn't make any difference what the part is in the assembly if the governor has the item budget veto power--that's an enormous power! He doesn't have to say it. He just intimates what he intends to do if you don't do A, B, and C.

If you're in a state like North Carolina, it's heaven for the legislature. In that state, the governor can't veto anything. In North Carolina when in session, the legislature is all powerful and the governor might as well go to Hawaii and live it up. He has no power whatscever if he is of one party and the legislature is of another party. So, they "have it made" there from the legislative viewpoint. The budget requires you to get your information submitted now.

Now, to another issue. You and I hear, and I believe, your cause is really hurt when it is said: "We all know what the pill is doing. We all know what abortion is doing. We all know ultimately there will be a down-turn in people desiring education at all levels." These statements have done such a good job that legislatures throughout America are giving less money because they keep hearing of the slowdown in number. However, it works in reverse in my state

and generally throughout the Southland. In spite of such claims in the North and the West, we in the South are trying to catch up for the first time in history. We are trying to give minorities the opportunities to attend the institutions of higher learning and we encourage a greater participation by all citizens to get more education. While all these publications are saying everthing's turning down, statistically and factually in my state and in many Southern states there is an increase in the number of people desiring higher education. There is such an increase in numbers that the state supported institutions cannot take all of them. Yet, the publicity has convinced some legislatures of a downturn in student demand. Jeanette, I'm sorry you're closing down all these schools in Pennsylvania. Let's pack or box them up and send them down the road like we sent those trailers up here when you had your floods! We can handle them! I hope you permit me, as a Southerner, to make that point because I think it is overlooked.

In many states, many of you in educational positions participate in partisan politics. We consider this a "No-No" in our state. We honestly believe professionals in the field of education should be non-partisan. We don't elect any people publicly in Virginia in the fields of education, whether it be the local school board, the state board, the superintendent of public instruction, or the various college and university boards. Membership in these, in truth and in fact, is non-partisan. So, my viewpoint is you should not get into partisan politics; maintain your professional standing.

Some states, as you know, have gone to an all-powerful governing board; certainly Florida provides an example of it. You may be in a state such as mine that has such diversity in its system of colleges and universities. Virginia and Massachusetts have the largest number of citizens on policy boards in universities. We call them visitors because a gentleman by the name of Mr. Thomas Jefferson called them visitors, but most states call them trustees and regents. With such a large number of citizens on the public college and university boards, we concluded it would be impossible for us to have a strong centralized governing body. That's politics.

We have diversity within the types of colleges and universities. There is a growing movement in the nation--and I believe it is wrong--to reduce higher education to a statistical norm, be it money or the level of attainment of the individual. I think American education, public and private, has been successful because of diversity and because of innovative concepts and ideas fostered by approaches to the diverse problems. I submit that it is wrong to create one big super state university. Yet, there is a

movement to accomplish this and I believe it is substituting a giant bureaucracy for educational quality. We need broad diversity instead of huge size. And I'm obviously offending some people who believe in the strong governing principle.

When the legislature is in session, you should read every cotton pickin' bill introduced which might, in any way, pertain to your field of endeavor. At times, I have been surprised that people in education in my state are not prepared before committees. As a committee chairman, I politely request--indeed, I demand--that department people be present at committee meetings, be brief, and be available to respond to our questions. I have discovered instances in which they didn't know a bill had even been introduced and one which directly affected them. Now, this is of no great consequence in states where you go on and on, but in a state on a calendar principle, it is essential that the professional educator be on his toes. He must be available at all times while we are in session. This is necessary if we are to accomplish anything at all.

I also suggest that you would be well advised to pick out the strong people on the committee. Not everybody in the legislative process happens to be as brilliant as Jeanette and I in the field of education!!! On our committees, not everyone obviously is as accomplished as we are!!! There are committee members who couldn't give a hoot about higher education, yet may be interested in elementary-secondary education, or some specialized field. You should know the individual legislative committee members in your state and what their kicks are. Get to them. You ought to get the chairperson's blessing, for the chairman may not want him to be too sophisticated on some things. We do not have a situation similar to my party in Washington which has participatory democracy and everybody now has to pick a chairman and have caucuses to decide on big policies. We are a seniority state and I like it. I waited many years to be senior and as long as I am there, I'm going to stay there. The seniority principle works politely and politically because you know that one of these days, if somebody ahead of you gets defeated or dies, you're going to be it. So you're going to be nice to that person. Of course, we find we're in the minority again on that principle, but it has great potential. Get on the education committee the people who know a particular field. The members of the education committee should also be on the appropriations, finance, or ways and means committee because money makes the horses trot. Many people get so gung ho about a legislative subject they overlook how to get the oil or grease needed to make it work, . . . and that's money! The smart legislator gets on the committee that handles money where he can then carries out the things in which he believes. So find out the persons

on the money committees who have been sympathetic to education and get to them.

Hopefully, do not let your college and university presidents be registered as full-time lobbyists in your state capital for the entire session. They do it, and this is one of the criticisms obviously of the coordinating governance system. It's a fact of political life that there are certain dominating colleges and universities in your state that, for better or worse, happen to have a good football team or a large alumni or something of that nature and are most persuasive. That's a political fact of life; you must recognize it in your professional capacity. You must recognize the give and take in getting things accomplished by getting a little here and taking a little there.

Do not make the mistake of doing something drastic in the field of higher education while we are in session. Our Council of Higher Education made the mistake of doing that while we were in session; they changed all the extension systems from the University of Virginia to a regional basis. They did it while we were in session and we reacted with alarm. If they had been smart, they would have waited until we went home, implemented the idea, and then let it all simmer down and be over before we got back in session the next year. That's politics. Pick your timing. I've always considered timing as vital in politics as it is in sex and as long as you operate on that principle, you'll never get in trouble either way.

Thank you.